



# 5

PATENTS

Attorney Docket No. P3949

**DECLARATION AND POWER OF ATTORNEY**

As a below-named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled "System And Method For Controlling Co-Scheduling Of Processes Of Parallel Programs," the specification of which was filed on April 30, 1999, as U. S. Patent Application Serial No. 09/303,464.

I hereby state that I have reviewed and understand the contents of the above-identified application specification, including the claims.

I acknowledge the duty to disclose information that is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, section 1.56(a).

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment or both under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

I hereby

Richard A. Jordan, Reg. No. 27,807  
Kenneth Olsen, Reg. No. 26,493  
Timothy J. Crean, Reg. No. 37,116;  
Philip J. McKay, Reg. No. 38,966;  
Robert S. Hauser, Reg. No. 37,847;  
Joseph T. FitzGerald, Reg. No. 33,881;  
Alexander E. Silverman, Reg. No. 37,940;  
Christine S. Lam, Reg. No. 37,489;  
Anirma Rakshpal Gupta, Reg. No. 38,275; and  
Sean Patrick Lewis, Reg. No. 42,798,

my attorneys, with full power of substitution, delegation and revocation, to prosecute this application, to make alterations and amendments therein, to receive the patent and to transact all business in the Patent and Trademark Office connected therewith. Please direct all telephone calls to Richard A. Jordan at (781) 431-1357. Please address all correspondence to Richard A. Jordan, at P. O. Box 81363, Wellesley Hills, MA 02481-0004.

Steven J. Sistare                      10/1/99  
Steven J. Sistare                      Date

Residence:                      13 Magnolia Drive  
   Westford, MA 01886

Citizenship                      US

Post Office Address: 13 Magnolia Drive  
   Westford, MA 01886

Nicholas J. Nevin                      10/1/99  
Nicholas J. Nevin                      Date

Residence:                      19 Taft Avenue  
   Maynard, MA 01754

Citizenship                      Ireland

Post Office Address: 19 Taft Avenue  
   Maynard, MA 01754

---

Anthony L. Kimball

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Date

Residence: RR2 Box 290  
Fergus Falls, MN 56537

Citizenship US

Post Office Address: RR2 Box 290  
Fergus Falls, MN 56537



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12/20/22

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Post Office Address: RR2 Box 290  
Fergus Falls, MN 56537

## PATENTS

Attorney Docket No. P3949

**ASSIGNMENT**

Whereas, we,

Steven J. Sistare, 13 Magnolia Drive, Westford, MA 01886

Nicholas J. Nevin, 19 Taft Avenue, Maynard, MA 01754 ; and

Anthony L. Kimball, RR2 Box 290, Fergus Falls, MN 56537 ,

have made certain inventions or discoveries (or both) set forth in an application for Letters Patent of the United States of America entitled System And Method For Controlling Co-Scheduling Of Processes Of Parallel Programs, which application was filed on April 30, 1999, as U.S. Patent Application Serial No. 09/303,464; and identified by Attorney Docket Number P3949.

Whereas Sun Microsystems, Inc., a corporation having a place of business at 901 San Antonio Road, Palo Alto, CA 94303, and who, together with its successors and assigns is hereinafter called "Assignee," is desirous of acquiring the title, rights, benefits and privileges hereinafter recited;

Now, therefore, for valuable consideration furnished by Assignee to us, receipt and sufficiency of which we hereby acknowledge, we hereby, without reservations:

1. Assign, transfer and convey to Assignee the entire right, title and interest in and to said inventions and discoveries, said application for Letters Patent of the United States of America, any and all other applications for Letters Patent on said inventions and discoveries in whatsoever countries, including all divisional, renewal, substitute, continuation and Convention applications based in whole or in part upon said inventions or discoveries, or upon said applications, and any and all Letters Patent, reissues and extensions of Letters Patent granted for said inventions and discoveries or upon said applications, and every priority right that is or may be predicated upon or arise from said inventions, said discoveries, said applications and said Letters Patent;

2. Authorize Assignee to file patent applications in any or all countries on any or all of said inventions and discoveries in our names or in the name of Assignee or otherwise as Assignee may deem advisable, under the International Convention or otherwise;

3. Authorize and request the Commissioner of Patents and Trademarks of the United States of America and the empowered officials of all other governments to issue or transfer all said Letters Patent to Assignee, as assignee of the entire right, title and interest therein or otherwise as Assignee may direct;

4. Warrant that we have not knowingly conveyed to others any right in said inventions, discoveries, applications or patents or any license to use the same or to make, use or sell anything embodying or utilizing any of said inventions or discoveries; and that we have good right to assign the same to Assignee without encumbrance;

5. Bind our heirs, legal representatives and assigns, as well as ourselves, to do, upon Assignee's request and at Assignee's expense, but without additional consideration to us or them, all acts reasonably serving to assure that the said inventions and discoveries, the said patent applications and the said Letters Patent shall be held and enjoyed by Assignee as fully and entirely as the same could have been held and enjoyed by us, our heirs, legal representatives and assigns if this assignment had not been made; and particularly to execute and deliver to Assignee all lawful application documents including petitions, specifications, and oaths, and all assignments, disclaimers, and lawful affidavits in form and substance as may be requested by Assignee; to communicate to Assignee all facts known to us relating to said inventions and discoveries or the history thereof; and to furnish Assignee with any and all documents, photographs, models, samples and other physical exhibits in our control or in the control of our heirs, legal representatives or assigns which may be useful for establishing the facts of our conceptions, disclosures, and reduction to practice of said inventions and discoveries.

In testimony of which we have signed our names below on the date(s) indicated.

Steven J. Sistare  
Steven J. Sistare  
Inventor

10/1/99  
Date

Nicholas J. Nevin  
Nicholas J. Nevin  
Inventor

10/1/99  
Date

Anthony L. Kimball  
Anthony L. Kimball  
Inventor

                      
Date



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Now, therefore, for valuable consideration furnished by Assignee to us, receipt and sufficiency of which we hereby acknowledge, we hereby, without reservations:

1. Assign, transfer and convey to Assignee the entire right, title and interest in and to said inventions and discoveries, said application for Letters Patent of the United States of America, any and all other applications for Letters Patent on said inventions and discoveries in whatsoever countries, including all divisional, renewal, substitute, continuation and Convention applications based in whole or in part upon said inventions or discoveries, or upon said applications, and any and all Letters Patent, reissues and extensions of Letters Patent granted for said inventions and discoveries or upon said applications, and every priority right that is or may be predicated upon or arise from said inventions, said discoveries, said applications and said Letters Patent;

2. Authorize Assignee to file patent applications in any or all countries on any or all of said inventions and discoveries in our names or in the name of Assignee or otherwise as Assignee may deem advisable, under the International Convention or otherwise;

3. Authorize and request the Commissioner of Patents and Trademarks of the United States of America and the empowered officials of all other governments to issue or transfer all said Letters Patent to Assignee, as assignee of the entire right, title and interest therein or otherwise as Assignee may direct;

4. Warrant that we have not knowingly conveyed to others any right in said inventions, discoveries, applications or patents or any license to use the same or to make, use or sell anything embodying or utilizing any of said inventions or discoveries; and that we have good right to assign the same to Assignee without

encumbrance;

5. Bind our heirs, legal representatives and assigns, as well as ourselves, to do, upon Assignee's request and at Assignee's expense, but without additional consideration to us or them, all acts reasonably serving to assure that the said inventions and discoveries, the said patent applications and the said Letters Patent shall be held and enjoyed by Assignee as fully and entirely as the same could have been held and enjoyed by us, our heirs, legal representatives and assigns if this assignment had not been made; and particularly to execute and deliver to Assignee all lawful application documents including petitions, specifications, and oaths, and all assignments, disclaimers, and lawful affidavits in form and substance as may be requested by Assignee; to communicate to Assignee all facts known to us relating to said inventions and discoveries or the history thereof; and to furnish Assignee with any and all documents, photographs, models, samples and other physical exhibits in our control or in the control of our heirs, legal representatives or assigns which may be useful for establishing the facts of our conceptions, disclosures, and reduction to practice of said inventions and discoveries.

In testimony of which we have signed our names below on the date(s) indicated.

\_\_\_\_\_  
Steven J. Sistare  
Inventor

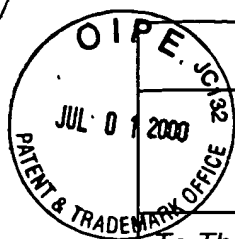
\_\_\_\_\_  
Date

\_\_\_\_\_  
Nicholas J. Nevin  
Inventor

\_\_\_\_\_  
Date

Anthony L. Kimball  
Anthony L. Kimball  
Inventor

12/20/99  
Date

**RECORDATION FORM COVER SHEET  
PATENTS ONLY**

To The Honorable Commissioner of Patents and Trademarks: Please record the attached original documents or copies thereof:

## 1. Names of conveying parties:

Steven J. Sistare

Nicholas J. Nevin

Anthony L. Kimball

Additional Names Attached? ☐ Yes ☒ No

## 2. Name and address of receiving party:

Sun Microsystems, Inc.

901 San Antonio Road

Palo Alto, CA 94303

## 3. Nature of conveyance:

☒ Assignment ☐ Merger☐ Security Agreement ☐ Change of Name☐ Other \_\_\_\_\_Execution Dates: October 1, December 20,  
1999Additional Names Attached? ☐ Yes ☒ No

## 4. Application number(s) or patent number(s):

If this document is being filed together with a new application, the execution date of the application is: \_\_\_\_\_

## A. Patent Application No(s):

09/303,464, filed April 30, 1999

## B. Patent No(s):

## 5. Name and address of party to whom correspondence concerning documents should be mailed:

Richard A. Jordan, Esq.

P. O. Box 81363

Wellesley Hills, MA 02481-0004

## 6. Total no. of applications and patents involved: 1

## 7. Total fee (37 C.F.R. 3.41): \$40.00

☒ Check enclosed☐ Authorized to be charged to deposit account

## 8. Deposit Account No.

(Duplicate copy attached)

9. To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

07/06/2000 CNYEN 00000009 09303464

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40.00 0P

Date: July 1, 2000

Richard A. Jordan  
Richard A. Jordan  
Reg. No. 27,807